

HOUSE No. 3460

By Mr. Dempsey of Haverhill, petition of Brian S. Dempsey and Bradley H. Jones, Jr. relative to workers' compensation for present and former employees of the Massachusetts Bay Transportation Authority. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO WORKERS' COMPENSATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 73 of chapter 152 of the General Laws, as appearing in
2 the 2004 Official Edition, is hereby amended by inserting in the first
3 sentence, the following new sentence: Notwithstanding any general
4 or special law to the contrary, any present and former Massachusetts
5 bay transportation authority employee or retiree entitled to compen-
6 sation under section thirty-one, thirty-four, thirty-four A, thirty-five,
7 thirty-five A or thirty-six and who is also entitled to a pension by
8 reason of the same injury shall elect whether he will receive such
9 compensation or such pension, and shall not receive both, except in
10 the manner and to the extent provided by section fourteen of chapter
11 thirty-two; provided, further, that the requirement to make said elec-
12 tion shall apply to all former Massachusetts bay transportation
13 authority employees or retirees presently receiving or entitled to
14 receive both benefits under section thirty-one, thirty-four, thirty-four
15 A, thirty-five, thirty-five A or thirty-six and who are also receiving
16 or entitled to a pension by reason of the same injury.